



## Canada-United States Law Journal

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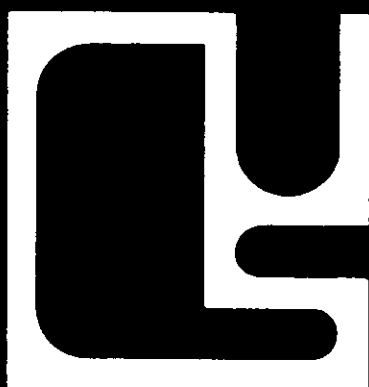
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# Canada- United States Law Journal

VOLUME 16

1990

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### LAW AND HUMAN RESOURCES IN THE CANADA-U.S. CONTEXT

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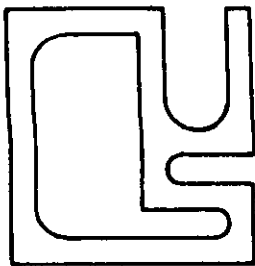
THE CANADA-UNITED STATES LAW INSTITUTE

and

CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW

Cleveland, Ohio  
April 20-22, 1990

*Conference Chairman*  
Henry T. King, Jr.



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United States  
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1990

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School of Law

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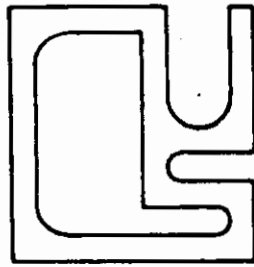
## EDITOR'S NOTES

The following are the proceedings of a Conference held under the auspices of the Canada-United States Law Institute and Case Western Reserve University School of Law. The Conference was held in Cleveland, Ohio on April 20-22, 1990. The theme of the Conference was *Law and Human Resources in the Canada-U.S. Context*.

The articles and discussions printed here have been compiled from transcripts of the Conference and papers provided by the speakers. Footnotes are provided only to the extent they were included in these papers. Questions regarding unfootnoted factual assertions should be addressed to the authors.

The views expressed within are those of the authors or Conference participants and do not necessarily reflect the opinions or policies of any organization, governmental agency, corporation, etc. with which they may be affiliated.

(The Editor would like to thank those people who have assisted in the production and printing of this volume. The Editor is especially grateful to Shelly Boone of Mizantin Court Reporters and Debra Hairston of the Case Western Reserve University Law School Staff.)



Canada-  
United States  
Law Journal

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VOLUME 16

1990

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PROCEEDINGS OF THE CANADA-UNITED STATES  
LAW INSTITUTE CONFERENCE

LAW AND HUMAN RESOURCES IN  
THE CANADA-U.S. CONTEXT

Cleveland, Ohio  
April 20-22, 1990

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## **Speakers at the Canada-U.S. Law Institute Conference on Law and Human Resources in the Canada-U.S. Context**

**Honorable Ronald Atkey** is a partner in the Toronto law firm of Osler, Hoskin & Harcourt, where he specializes in matters of governmental regulation and international business transactions. He is a former Minister of Employment and Immigration of Canada and currently serves as an adviser to the Mulroney Government on matters related to competition law and business immigration. He is a director of a number of Canadian corporations and earlier in his career was a professor of law at several leading Canadian law schools.

**Irving Bluestone** is a former Vice President of UAW where for ten years he was director of the UAW General Motors Department. In that capacity, he supervised activities related to negotiations and administration of the UAW-GM contract covering 400,000 workers. During his long career with the UAW, he was involved in national negotiations with all of the major automotive manufacturers as well as with auto supplier companies and aerospace firms. Mr. Bluestone joined the faculty of Wayne State University upon his retirement from the UAW where he is now University Professor of Labor Studies at the College of Urban, Labor and Metropolitan Affairs.

**Meriel V. Bradford** is Director of Government Relations for Alcan Aluminum Limited in Ottawa. In this capacity she is responsible for advising Alcan on all major national policy issues affecting the company. Before assuming her present position, Ms. Bradford was Services Negotiations Coordinator in the Trade Negotiations Office, where she was responsible for several chapters of the Canada/U.S. Free Trade Agreement, and for leading the Canadian delegation in the negotiations on trade in services in the Uruguay Round of the GATT.

**Robert D. Brown** is Vice Chairman of Price Waterhouse Canada and has overall responsibility for its tax consulting and trustee services as well as its accounting and auditing research and communications functions. He has been a speaker at numerous conferences in Canada and around the world, and has also written extensively on taxation, accounting, and policy topics.

**Dr. Anthony P. Carnevale** is currently Vice President of National Affairs and Chief Economist for the American Society for Training and Development (ASTD). At ASTD Dr. Carnevale manages the national

affairs and research efforts of the Association which represents over 50,000 training and human resource professionals in employer institutions. Earlier in his career Dr. Carnevale held important positions with both the executive and legislative branches of the government. He also served as Government Affairs Director for the American Federation of State, County and Municipal Employees (AFSCME). In 1981, he served as Co-Moderator for the White House Conference on Productivity. In 1987-88, Dr. Carnevale served as Chairman of the Fiscal Policy Task Force of the Council on Competitiveness. He has authored numerous research reports, books and articles on macro and microeconomic issues associated with national employment, training and competitiveness issues.

**Ben Fischer** has had a long career in the labor relations field. After holding important assignments with the United Steel Workers of America, the Aluminum Workers of America and the CIO, he was appointed Director of the Center for Labor Studies, School of Urban and Public Affairs, at Carnegie Mellon University where he is a Distinguished Public Service Professor. He is a member of the Governor's Labor Management Committee, Economic Development Partnership of Pennsylvania.

**Austin T. Fragomen** is the senior partner in Fragomen, Del Ray and Bernson, P.C., which is a New York-based law firm specializing in the field of immigration and nationality law, with offices in several other U.S. cities. A graduate of Case Western Reserve University Law School, he has written and spoken widely on immigration and nationality law-related subjects. From 1978 to the present he has been Chairman of the Practicing Law Institute's Annual Immigration Institute.

**Roy L. Heenan** is Senior Partner in the Montreal law firm of Heenan, Blaikie, where he specializes in industrial relations. He has written widely on labor law matters and also is currently a lecturer on labor law at the Faculty of Law, McGill University. In his practice he has represented management in industrial relations, and in 1986 negotiated the first labor contract in Canada incorporating Japanese style work practices in the automotive industry. He has also been a government nominee in various conciliation boards.

**Susan P. Hooker** is Director of Planning, Evaluation and Retaining of Motorola University at Motorola Inc. At Motorola University she is responsible for managing the strategic planning process for corporate training; all formative and summative evaluation processes for the design and delivery of training and the implementation of new skills on the job; the development of corporate guidelines and strategies for the retraining and continuous education of Motorola's workforce worldwide. She

## CONFERENCE SPEAKERS

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served as U.S. delegate to an Organization for Economic Cooperation and Development (OECD) management meeting in October 1988 on Training of the Adult Workforce in a Rapidly Changing Labor Market, and in October 1989 she gave testimony to members of the European Community's Commission on Social Policy on The Management of Human Capital, and in January 1990 she presented a paper on use of Training to Support the Development Acquisition and Application of New Technologies in a Six Sigma Quality Culture at an OCED meeting.

**T. Leslie Horswill** has been Assistant Deputy Minister, Policy and Development Division, Ministry of Skills Development, Government of Ontario, since May 1985. Between 1977 and 1986, Mr. Horswill served as Senior Communications Advisor to the Treasurer of Ontario, Policy Coordinator in the Cabinet Office, Executive Director in the Policy and Priorities Division of the Ministry of Industry and Trade, and Executive Coordinator for Policy and Development in the Ministry of Treasury and Economics. Mr. Horswill was educated at the University of British Columbia.

**Charles M. Ludolph** is Director of the U.S. Commerce Department's Office of European Community Affairs. In that position, he is responsible for analyzing trade barriers and developing the Department's trade investment activities with the European Community. He has been prominently involved in the U.S. efforts in Airbus, telecommunications and heavy electrical equipment, EC internal market, and the Uruguay Round. Mr. Ludolph has served in very international program administered by the Department from export promotion to U.S. trade law administration. In 1983, he took over Commerce programs concerning the European Community and has served in this capacity to date.

**H. Ian Macdonald** is a former President of York University. He has had a distinguished career in academia and government. He currently is a Professor of Public Policy and Economics at York University, and is also Director of York International. He has held a number of key positions with the Government of Ontario and has taught and lectured at several leading Canadian universities. He is a director of several Canadian and international companies and institutions. A Rhodes scholar, he is President of the Canadian Rhodes Scholars Federation.

**Donald A. McGrath** is a Vice President of Towers, Perrin, Forster & Crosby, specializing in both the design and financing aspects of employee benefits planning. Within Towers, Perrin, Forster & Crosby, he holds Practice Leader responsibilities for group insurance consulting. He is a past president of the Canadian Institute of Employee Benefit specialists.

**David J. Millstone** is a partner in the Cleveland-based law firm of

Squire, Sanders & Dempsey, where he practices labor law in both the private and public sectors. He has authored several publications in the labor field.

Colleen Morton is currently a policy analyst in the international group in the Washington D.C. office of Weil, Gotshal & Manges. Prior to her current association, Ms. Morton was the U.S. Director of the Canadian-American Committee, a committee of 120 Fortune-500 business from Canada and the U.S. that also includes labor representation. Earlier she served with the U.S. State Department as a political officer and served in Canada, New Zealand and Venezuela. She has authored a number of articles on bilateral and international trade issues.

Peter Morici, who currently teaches at the University of Maine, is a former Vice President and Research Director of the National Planning Association. He is a prolific writer on critical Canada/U.S. economic issues and he has spoken widely on Canada/U.S. topics.

William Napoli, Jr. is Vice President of Towers, Perrin, Forster & Crosby, assisting clients in actuarial and employee benefits matters. He serves as Senior Actuary of the Cleveland office as well as Practice Leader for the design and financing of retirement benefits.

William K. Rusak is Vice President, Corporate Services and Relations, of Dominion Textiles, Inc., where he is responsible for all aspects of human resources management, as well as public relations and communications. Prior to joining Dominion Textiles Inc., he was Vice President, Labor Relations at Firestone Tire and Rubber Company, Akron, Ohio.

Stephen L. Schlossberg is director of the Washington branch of the International Labor Office (ILO) and special advisor to the Director General of the ILO. He is the principal officer of the ILO regarding the U.S. government and union and employer organizations. Before his ILO appointment, Mr. Schlossberg was U.S. Deputy Under Secretary for Labor-Management Relations. He is a former General Counsel of the UAW and was appointed by President Reagan to the President's Commission on Industrial Competitiveness and by President Carter to the President's Advisory Board on Ambassadorial Appointments.

Norihiro Takeucki is Executive Vice President, Intercompany Relations, of Bridgestone/Firestone Inc. He is a director of Bridgestone/Firestone Inc., and of Bridgestone Corporation. He graduated from Hitotsubashi Graduate School with a Master of Laws Degree and from George Washington University Law School with a Master of Comparative Law degree.

## CONFERENCE SPEAKERS

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**Dr. Peter Warrian** is Executive Director of the Canadian Steel Trade and Employment Congress (CSTEC), a union/company co-venture between the United Steelworkers and Canada's steel companies. CSTEC seeks joint solutions to the trade and labour adjustment problems facing the Canadian steel industry. Prior to his present position, he was successively Canadian Legislative Director and Research Director of the United Steelworkers of America. Mr. Warrian is currently Visitor in Labour Studies at University College, University of Toronto.

**Glenn W. White** is Director of the Tax Department of Dow Chemical Company. He is the Chairman of the National Association of Manufacturers Tax Committee and Co-Chairman of the Tax Foundation Program Committee. He is also the U.S. representative of the International Chamber of Commerce Tax Commission in Paris.



## Speakers and Participants at the Canada-U.S. Law Institute Conference on Law and Human Resources in the Canada-U.S. Context

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Susan Hooker	Motorola, Inc.	Schaumburg, Illinois
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## SPEAKERS AND PARTICIPANTS

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